

BellSouth Telecommunications, Inc.
Legal Department
1600 Williams Street
Suite 5200
Columbia, SC 29201

Patrick W. Turner
General Counsel-South Carolina

803 401 2900
Fax 803 254 1731

patrick.turner@bellsouth.com

July 20, 2004

The Honorable Bruce Duke
Executive Director
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Application of BellSouth Telecommunications, Inc. to Provide In-Region
InterLATA Services Pursuant to Section 271 of the Telecommunications
Act of 1996
Docket No. 2001-209-C

Dear Mr. Duke:

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits this letter to inform the Public Service Commission of South Carolina that BellSouth is withdrawing its Statement of Generally Available Terms and Conditions ("SGAT"), including without limitation any modifications and/or replacements to the SGAT that may have been filed in the past.

This action is being taken in response to the mandate issued by the United States Court of Appeals for the District of Columbia effectuating its Opinion released on March 2, 2004. By virtue of this mandate, as of June 16, 2004, certain unbundling rules adopted by the FCC in its Triennial Review Order (TRO) on October 2, 2003 are vacated. In addition, and as a result of the Court's mandate, the FCC has indicated that it expects to issue permanent rules by the end of the year. As such, BellSouth's SGAT, including any modifications and/or replacements to the SGAT that may have been filed in the past, are no longer compliant with current law.

As the Public Service Commission of South Carolina has noted in the past, the federal Telecommunications Act of 1996 permits, but does not require, an ILEC like BellSouth to file an SGAT.¹ However, no CLEC has ever adopted BellSouth's SGAT in South Carolina. Instead, the numerous CLECs that have entered the South Carolina

¹ See Order No. 2002-77 in Docket No. 2001-209-C at pp. 16-17.

The Honorable Bruce Duke
July 20, 2004
Page Two

market have done so either by executing BellSouth's standard interconnection agreement² (the current version of which is available for viewing at www.interconnection.bellsouth.com), by lawfully adopting other interconnection agreements, or by negotiating or arbitrating interconnection agreements with BellSouth. Each of these options remains available to CLECs following BellSouth's withdrawal of the SGAT.

I am serving a copy of this letter on all parties of record as indicated on the attached Certificate of Service.

Sincerely,



Patrick W. Turner

PWT/nml
cc: All Parties of Record
PC Docs #544296

² This standard interconnection agreement provides a set of terms and conditions from which any CLEC in South Carolina can order interconnection facilities and UNEs or can resell BellSouth service to compete with BellSouth in the local market.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth Telecommunications, Inc.'s letter withdrawing its Statement of Generally Available Terms and Conditions ("SGAT") in Docket No. 2001-209-C to be served upon the following this July 20, 2004:

Elliott F. Elam, Jr., Esquire
S. C. Department of Consumer Affairs
3600 Forest Drive, 3rd Floor
Post Office Box 5757
Columbia, South Carolina 29250-5757
(Consumer Advocate)
(U. S. Mail and Electronic Mail)

Sonia Daniels
Law & Government Affairs
AT&T – Southern Region
1200 Peachtree Street, NE, Rm. 4080
Atlanta, Georgia 30309
(AT&T)
(U. S. Mail and Electronic Mail)

Jocelyn G. Boyd, Esquire
Staff Attorney
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(U. S. Mail and Electronic Mail)

Russell B. Shetterly, Esquire
P. O. Box 8207
Columbia, South Carolina 29202
(Knology of Charleston and Knology of South Carolina, Inc.)
(U. S. Mail and Electronic Mail)

SC FILED
2004 JUL 20 PM 4:14
D

Darra W. Cothran, Esquire
Woodward, Cothran & Herndon
1200 Main Street, 6th Floor
Post Office Box 12399
Columbia, South Carolina 29211
(MCI WorldCom Network Service, Inc.
MCI WorldCom Communications and
MCI metro Access Transmission Services, Inc.)
(U. S. Mail and Electronic Mail)

John F. Beach, Esquire
John J. Pringle, Jr., Esquire
Ellis Lawhorne & Sims, P.A.
Post Office Box 2285
Columbia, South Carolina 29202
(Resort Hospitality Services, Inc., NuVox
Communications, Inc., AIN and Momentum Business
Solutions, Inc.)
(U. S. Mail and Electronic Mail)

Marsha A. Ward, Esquire
Kennard Woods, Esquire
MCI WorldCom, Inc.
Law and Public Policy
6 Concourse Parkway, Suite 3200
Atlanta, Georgia 30328
(MCI)
(U. S. Mail and Electronic Mail)

Frank R. Ellerbe, Esquire
Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore, P.C.
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202
(NewSouth Communications Corp., SCCTA and SECCA
and KMC Telecom III, Inc.)
(U. S. Mail and Electronic Mail)

Genevieve Morelli
Andrew M. Klein
Kelley, Drye & Warren, LLP
1200 19th Street, N.W.
Washington, D.C. 20036
(KMC Telecom III, Inc.)
(U. S. Mail and Electronic Mail)

John D. McLaughlin, Jr.
Director, State Government Affairs
KMC Telecom, Inc.
1755 North Brown Road
Lawrenceville, GA 30043
(KMC Telecom)
(U. S. Mail and Electronic Mail)

Edward Phillips
Attorney
141111 Capital Blvd.
Wake Forest, NC 27587-5900
(Sprint/United Telephone)
(U. S. Mail and Electronic Mail)

Scott A. Elliott, Esquire
Elliott & Elliott
721 Olive Street
Columbia, South Carolina 29205
(Sprint/United Telephone)
(U. S. Mail and Electronic Mail)

Marty Bocock, Esquire
Director of Regulatory Affairs
1122 Lady Street, Suite 1050
Columbia, South Carolina 29201
(Sprint/United Telephone Company)
(U. S. Mail and Electronic Mail)

Faye A. Flowers, Esquire
Parker Poe Adams & Bernstein LLP
1201 Main Street, Suite 1450
Columbia, South Carolina 29202
(US LEC)
(U. S. Mail and Electronic Mail)

Andrew O. Isar
Director – State Affairs
7901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335
(ASCENT)
(U. S. Mail and Electronic Mail)

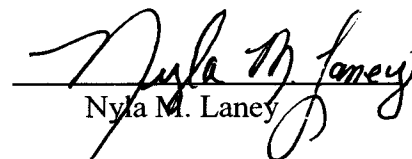
Nanette Edwards, Esquire
ITC^DeltaCom Communications, Inc.
4092 S. Memorial Parkway
Huntsville, Alabama 25802
(U. S. Mail and Electronic Mail)

Timothy Barber, Esquire
Womble, Carlyle, Sandridge & Rice
3300 One First Union Center
301 South College
Suite 3300
Charlotte, North Carolina 20202
(AT&T)
(U. S. Mail and Electronic Mail)

Tami Azorsky, Esquire
McKenna & Cuneo, LLP
1900 K Street, N.W.
Washington, DC 20006
(AT&T)
(U. S. Mail and Electronic Mail)

William Prescott, Esquire
1200 Peachtree Street, N.E.
Suite 8100
Atlanta, Georgia 30309
(AT&T)
(U. S. Mail and Electronic Mail)

John A. Doyle, Jr., Esquire
Parker, Poe, Adams & Bernstein, L.L.P.
150 Fayetteville Street Mall, Suite 1400
Raleigh, North Carolina 27602
(US LEC of South Carolina)
(U. S. Mail and Electronic Mail)


Nyla M. Laney